



Docket No. 269/106
2024730- 7013343001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert M. Abrams, et al.

Serial No.: 10/038,730

Filed: January 2, 2002

For: LIQUID BASED VASO-OCCLUSIVE COMPOSITIONS

Group Art Unit: 3733

Confirmation No.: 1632

Examiner: Ram R. Shukla

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

M/S: Non Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Restriction/Election Requirement (~~2~~ 3 pages) for the above-identified application.

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

Dated:

4/8/04

By:

Dawid Under

David W. Maher
Reg. No. 40,007

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CERTIFICATE OF MAILING TRANSMISSION
(37 C.F.R. §1.8)

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RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

M/S: Non Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Election/Restriction Requirement mailed March 10, 2004, for the above-referenced application, Applicant hereby elects the invention of Group I (Claims 32 – 37, 40, 41, 43, 44, 46, 53 – 60), i.e., Group I), drawn to a precursor composition comprising polymer forming biodegradable material and a biologically active component wherein the biologically active component is a protein or peptide, classified in class 514, subclass 2. Applicant requests consideration of claims 38-39 with Group I, as it appears that claims 38-39 were inadvertently not addressed in the Restriction Requirement and should have been included in each group; these claims are dependent and do not fall exclusively within any of the recited groups.

Applicant elects the species polyglycolic acid for claim 35. Applicant elects the species polyhydroxybutyrate for claim 36. Applicant elects the species fibronectin of claim 43.

Examination of the application is requested. Any questions regarding the above election should be brought to undersigned's attention.

Respectfully submitted,
BINGHAM McCUTCHEN LLP

Dated: 4/8/04

By: David W. Maher
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